

**Fire Safety Code Board  
Of Appeal and Review  
Hearing Minutes for May 11, 2010**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, May 11, 2010 at 1:00 P.M. Present were Chairman Coutu, Vice Chairman Newbrook and Commissioners Richard, Pearson, Preiss, Jasparro, Dias and Filippi were present. Commissioners Walker, Jackson and Blackburn were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #060109B: The Diocese of Providence, for the property located at 55 Elmhurst Avenue in Providence. (St. Pius School). ADSFM Lisa Krapf appeared for the Providence Fire Marshal's office. Commissioner Dias made a motion, seconded by Vice Chairman Newbrook and Commissioner Jasparro, to grant the following relief. The cited closed is allowed to remain provided a fire rated door is provided to the closet and further provided that the ceiling of the closet remains open to allow for coverage by a sprinkler head. Alternatively, the Applicant is to remove the closet. Either option is to be provided prior to the re-opening of the school in September of 2010. The motion was unanimous.**

**APPEAL #070498: Ms. Christine Hayes, for the property located at 54**

**Winnapaug Road in Westerly. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. The Applicant stated that the deficiency outlined in the December 11, 2008 report for this facility has been corrected. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook and Commissioner Filippi, to direct the State Fire Marshal's office to re-inspect the facility to verify the repair of the cited deficiency. If corrections remain to be made, they will be done at the direction and to the satisfaction of the State Fire Marshal's office. The motion was unanimous.**

**APPEAL #100043A: Adult Day Services of Westerly, for the property located at 5 Union Street in Westerly. DSFM David Cionfolo appeared for the State Fire Marshal's office and Chief David Sayles appeared for the Westerly Fire Marshal's office. Commissioner Preiss recused himself from consideration of this case. Vice Chairman Newbrook made a motion, seconded by Commissioner Jasparro, to approve the Applicant's May 7, 2010 plan of action to provide alternative protection under the code so that no sprinkler protection is required. This plan shall include, but is not limited to, limiting the use of the basement to only part of the total area, and separating this area by a two-hour wall, in effect making this area now part storage and part other use. The motion passed with no objection by the Westerly Fire Chief.**

**APPEAL #070280 and 070449: Mr. Craig Donatelli and Mr. Rick Esposito, MHRH, for the property located at 20 Higgins Street in**

**Smithfield. Chief of Inspections Scott Caron and Deputy State Fire Marshal Christine Kent appeared for the State Fire Marshal's office. Capt. James Waterman appeared for the Smithfield Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioners Filippi and Dias, to allow the fire drill alarm to sound only in the wing occupied by MHRH clients, instead of the entire complex. The motion was unanimous. Any fire alarm and/or sprinkler deficiencies that may exist in this facility, as relates to the MHRH clients, will be addressed under the blanket variance for such MHRH facilities.**

**APPEAL #070187: RI Dept. of MHRH, for the property located at 100 Wake Robin Road in Lincoln. Chief of Inspections Scott Caron appeared for the State Fire Marshal's office and Chief Frank Sylvester and ADSFM Arthur Jacques appeared for the Lime Rock Fire District Fire Marshal's office. Commissioner Walker recused himself from consideration of this case. Commissioner Pearson made a motion, seconded by Commissioner Richard and Vice Chairman Newbrook, to have this facility re-inspected and have the current owner notified and presented with a current inspection report. This matter is tabled for sixty days.**

**APPEAL #070450: RI Dept. of MHRH, for the property located at 20 Wheldon Street, East Providence. ADSFM James Bellamy appeared for the East Providence Fire Marshal's office and DSFM Octavio Vieira appeared for the State Fire Marshal's office. Commissioner Richard**

**made a motion, seconded by Vice Chairman Newbrook, to extend the time variance for the sprinkler deficiencies as noted in the blanket variance for certain MHRH licensed facilities. The motion was unanimous.**

**APPEAL #070447: RI Dept. of MHRH, for the property located at 1061 Willett Avenue, east Providence. DSFM Robert Couture appeared for the State Fire Marshal's office and ADSFM James Bellamy appeared for the East Providence Fire Marshal's office. Commissioner Richard made a motion, seconded by Vice Chairman Newbrook, to extend the time variance for the sprinkler deficiencies as noted in the blanket variance for certain MHRH licensed facilities. The motion was unanimous.**

**APPEAL #050119: Tri-Hab, Inc., for the property located at 80 Hamlet Avenue, Woonsocket. DSFM Michael Macaruso appeared for the State Fire Marshal's office. Vice Chairman Newbrook made a motion, seconded by Commissioner Pearson, , to extend the time variance for the sprinkler deficiencies as noted in the blanket variance for certain MHRH licensed facilities. The Applicant is directed to provide a plan of action to the State Fire Marshal's office within thirty days for the correction of deficiencies 2, 3 and 12. The motion was unanimous.**

**APPEAL #060947: Gateway Healthcare Inc., for the property located at 58 Hamlet Avenue, Woonsocket. Deputy State Fire Marshals Vieira and Macaruso appeared for the State Fire Marshal's office. Vice**

**Chairman Newbrook made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty days in which to submit a plan of action to the State Fire Marshal's office for the correction of the outstanding deficiencies within this facility. The Applicant will not be required to sprinkle this facility if the third floor of this facility is sealed off, and the storage currently located on the third floor is moved to the basement of this facility. The motion was unanimous.**

**APPEAL #060722: Ms. Karen Rathbun, for the property located at 181 Cumberland Street in Woonsocket. DSFM Christine Kent appeared for the State Fire Marshal's office. This matter is tabled, as all outstanding deficiencies are addressed in the blanket variance for certain MHRH licensed facilities.**

**APPEAL #040209A: University of RI, for the property located at 2 Butterfield Road, Kingston. (Adams Hall dormitory). Chief Deputy Michael DiMascolo and Assistant Deputy State Fire Marshals Christopher Moore and Kaitlyn Foley appeared for the State Fire Marshal's office. This facility was previously before the Board and the University was directed to provide sprinkler coverage in this dormitory by September of 2008. This time variance has expired and the sprinklers are not yet installed. Commissioner Pearson made a motion, seconded by Commissioner Jasparro and Vice Chairman Newbrook, to grant the Applicant a time variance until September 2010 in which to install sprinklers in this facility. The Applicant is**

**directed to report back to the Board on June 8 to provide a status report on the progress. The motion was unanimous.**

**Respectfully submitted**

**Carol Marsella**